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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

JUL 15 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Amendment of Section 2.106 of )  
the Commission's Rules to )  
Allocate Spectrum for )  
Wind Profiler Radar Systems )

ET DOCKET NO. 93-59  
RM-8092

To: The Commission

**REPLY COMMENTS OF TELXON CORPORATION**

1. Telxon Corporation ("Telxon"), by its attorneys and pursuant to Section 1.415(c) of the Commission's Rules, hereby submits its Reply Comments in the above-referenced proceeding. In

2. Telxon manufactures and supplies personal computer-based local area networks which communicate by means of spread spectrum technology operating over the frequencies 902-928 MHz and under Part 15 of the Commission's Rules. Telxon's systems allow, inter alia, airlines to coordinate aircraft de-icing and baggage control and car rental companies to promptly process customer orders and complete vehicle inventory. The allocation of the 908.75-921.25 MHz band to wind profilers would jeopardize Telxon's system operations and thus harm its customers.

I. NO ANALYSIS HAS BEEN PRESENTED WHICH DEMONSTRATES THAT WIND PROFILERS WILL NOT INTERFERE WITH CURRENT LICENSED OPERATIONS IN THE 902-928 MHz BAND

3. In the NPRM/NOI, the Commission noted: "...there is insufficient information in the record regarding the potential impact of an allocation for wind profilers in the 902-928 MHz band on the current users of this band."<sup>3/</sup> The Commission specifically asked that commenters address technical characteristics of wind profilers and their ability to share spectrum with existing and proposed uses.<sup>4/</sup> Radian, the only entity filing comments in support of its proposed allocation, has failed to respond to the Commission's request.

4. The other commenters correctly point out that, in its Petition for Rulemaking and comments related thereto, Radian has provided no hard evidence that wind profilers in the 902-928 MHz

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<sup>3/</sup> NPRM/NOI at ¶ 19.

<sup>4/</sup> Id.

band will not interfere with current operations in that band.<sup>5/</sup> Radian's Comments in this proceeding similarly fail to establish that wind profilers in the subject band will in fact not cause interference to current users in the band.<sup>6/</sup> Moreover, Radian has provided no concrete proposal for coordination with current users, nor studies to demonstrate that wind profiler operations will not interfere with current users. In fact, Radian itself is uncertain whether its wind profiler operations will cause interference.<sup>7/</sup> In short, the comments filed in this proceeding establish that an NPRM is not warranted at this time.<sup>8/</sup> There is still insufficient evidence with which to conclude that an allocation for wind

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<sup>5/</sup> See e.g. Comments of North American Teletrac and Location Technologies ("Teletrac") at 6; Pinpoint Communications ("Pinpoint") at 10; Consolidated Clients of Wilkinson, Barker, Knauer & Quinn ("Consolidated Clients") at 3; and Hughes Aircraft Company at 5.

The 900 MHz band already houses government radiolocation service; amateur radio service; automatic vehicle monitoring; industrial scientific and medical equipment service; and unlicensed devices under Part 15, such as those of Telxon.

<sup>6/</sup> Radian provides only a single conclusory paragraph at page 10 of its thirteen-page Comments to purportedly establish that wind profilers will not interfere with current users in the 900 MHz band.

<sup>7/</sup> See Comments of Radian at iv. ("...it is unlikely 915 MHz profilers will interfere with other users...wind profilers can operate...with little or no inconvenience to users sharing band...").

<sup>8/</sup> See Comments of American Radio Relay League, Incorporation, RM-8092 at 2-3 (filed Nov. 2, 1992) ("For the Commission to propose a specific frequency allocation for wind profilers now would be inconsistent with the active participation of the United States in the ongoing CCIR studies.").

profilers in the 902-928 MHz band will not harm current operations in the band.

II. WIND PROFILER AND PART 15 OPERATIONS IN THE 902-928 MHz BAND CANNOT EFFECTIVELY COEXIST

5. Because Part 15 devices, including those of Telxon, operate at low power levels, they are highly susceptible to interference. Such spread spectrum systems must already share the crowded 902-928 MHz band on a non-interference basis with several other services.<sup>9/</sup> To allow the high power wind profilers Radian intends to operate in the band would severely impair the viability

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enhance the safety of life by detecting wind shear conditions.

Interference caused by Part 15 devices could jeopardize the

8. In light of the foregoing, the Commission should not issue a Notice of Proposed Rulemaking to allocate any frequencies in the 902-928 MHz band to wind profiler systems.

Respectfully submitted,

TELXON CORPORATION

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July 15, 1993

**CERTIFICATE OF SERVICE**

I, Lilly A. Whitney, a secretary in the law offices of Gurman, Kurtis, Blask and Freedman, Chartered, do hereby certify that I have on this 15th day of July, 1993, had copies of the foregoing "REPLY" mailed by U.S. first class mail, postage prepaid, to the following:

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